

Loans to Students

But this bill has a more serious defect which appears when reading clause 15, among others. Indeed, the bill, and more particularly that clause, is contrary to the whole economy of common, or civil, law in the province of Quebec, attacking its very roots. According to the provisions of the civil code concerning the minority, it is anticonstitutional.

The federal government impinges upon one of the main provisions of the civil code of the province of Quebec.

I say that no federal legislation whose purpose is to provide for capacity to enter into a contract, as clause 15 of this bill provides, can possibly be constitutional.

When we examine the various clauses of this bill in committee, we, on this side of the house, will oppose those specific provisions. We, therefore, implore the Minister of Justice, who is an expert on constitutional law, immediately to consider some called for amendments to the bill.

However, we are interested at the present time in knowing whether the amendment put forward by the member for Roberval is acceptable. I submit that we should oppose it since it is precisely contrary to the theories which the people at the extreme left of the house try to put into circulation.

Mr. Speaker, let us examine this bill somewhat. I have not got it before me, but I know it proposes a six month's hoist in order to allow the government to pass legislation required to allow the Bank of Canada to pay to the provinces the money they need to discharge their responsibilities in the field of education.

Mr. Speaker, let us consider somewhat the implications of this amendment; it tends to reduce the provinces to the rank of vassals. They are to be servants in the pay of the federal government.

As a matter of fact, through this amendment, the provinces become beggars before the central power, for the money required to discharge their obligations under the constitution, whereas you know very well that according to the British North American Act, according to our constitutional history, the provinces are sovereign in the fields bestowed upon them by the constitution and under the British North America Act.

And here, instead of taking the necessary measures to recognize this legitimate sovereignty of the provinces in the fields under their jurisdiction, we would substitute a retrograde, centralizing, incomprehensible attitude, and, above all, an attitude which is

contrary to the theory often times expressed in this house by those who have precisely proposed this amendment.

Mr. Speaker, the amendment in question definitely contravenes the functions of the Bank of Canada. Let us rather assume our responsibilities and ask the federal government to withdraw further from certain taxation fields, so that the provinces be allowed to levy the funds they need to fulfil their responsibilities, especially in the field of education.

I do not understand how the hon. member for Lapointe, for instance, supports such a proposal. Indeed, Mr. Speaker—

Mr. Grégoire: May I put a question?

Mr. Martineau: When I have concluded my remarks.

Mr. Grégoire: I can see that you understand nothing at all about that. You do not know much about the banking system. It is easy to see when a person knows nothing about that.

Mr. Martineau: I think I have the floor, Mr. Speaker. I shall be glad to answer all the hon. member's questions in a few moments.

In my opinion, the hon. member for Lapointe is the one who did not examine thoroughly the proposal he is now so strongly advocating and I feel his stand shows what an opportunist he can be. It especially indicates that the hon. member for Lapointe never really understood the cause he claims to stand for.

Sheer nonsense, that is what it amounts to. Just imagine, for a moment, how ridiculous a situation can be where you have the hon. member for Lapointe who, after having proposed to this house that the province of Quebec be granted the rank of an associate state, comes and tells us today: We, in the province of Quebec, are no longer capable of raising the funds we need to legislate according to the constitution and we shall come to Ottawa to beg for the required money. If the Bank of Canada is good enough to give us what we ask for, then we can take our responsibilities.

Well, it is obvious that this amendment has been put forward without having been considered seriously: it is outdated, ridiculous, contradictory in its conclusions and contrary to any sound constitutional principle. That is why, in spite of all the flaws contained in the bill, with which we shall deal on another occasion, we will oppose the amendment.